

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

THOMAS MOORE (ASBN 4305-O78T)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, CA 94102
Telephone: (415) 436-7017
Facsimile: (415) 436-6748

Attorneys for United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JOHN C. ALDEN,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case NO. C 88-4306 SI

**[PROPOSED]
DISPOSITION ORDER
(WRIT OF CONTINUING
GARNISHMENT)**

NHIC, CORPORATION,

Garnishee.

28 U.S.C. 3205(c)(7)

The United States has filed its Application for Disposition Order (Writ of Continuing Garnishment).

The Court finds that:

1. Judgment debtor and plaintiff John C. Alden (hereinafter "Plaintiff") is indebted to defendant United States of America in the original amount of \$788,606.67, plus interest, arising out of a judgment entered on May 7, 1991, the Findings of Fact and Conclusions of Law entered on April 29, 1991 in the Eastern District of California, under the consolidated case numbers, CIV. S-88-1377 LKK and CIV. S-89-382 LKK, and the Order Granting Defendant

1 United States' Summary Judgment Motion, entered on September 15, 1994, in the above-
2 captioned case. As of July 15, 2008, the approximate balance due on this debt was
3 \$1,690,687.13.

4 2. The Court issued its Writ of Continuing Garnishment, directed to the Garnishee
5 NHIC, Corporation, and the Writ was served on the Garnishee.

6 3. The Garnishee filed an amended answer to the Writ indicating that at the time of
7 the service of the Writ, the Garnishee is responsible for disbursing current and future Medicare
8 payments to the Plaintiff, an active Medicare provider for Northern California.

9 4. On May 2, 2008 and May 5, 2008, the Plaintiff and the Plaintiff's Attorney,
10 respectively, were notified of the Plaintiff's right to a hearing and to object to the Garnishee's
11 Answer. The Plaintiff has neither requested a hearing nor filed an objection to the Garnishee's
12 Answer, and the time to do so has expired.

13 Based on the foregoing, and for good cause shown,

14 IT IS HEREBY ORDERED that the Garnishee shall pay to the Defendant all Medicare
15 payments due to the Plaintiff as and when they become due and payable, and shall continue those
16 payments until the judgment debt to the Defendant is paid in full, until the Garnishee no longer
17 has possession, custody, or control of any property belonging to the Plaintiff, or until further
18 Order of the Court.

19
20
21 Dated: _____



SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE